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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

MANUEL JUNIOR LAZTRA,

Defendant and Appellant.

B302272

Los Angeles County

Super. Ct. No. MA067220

APPEAL from an order of the Superior Court of Los Angeles County, Shannon Knight, Judge. Affirmed.

Lise M. Breakey, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

Defendant Manuel Junior Laztra appeals from the court's October 24, 2019 order deeming his outstanding balance for victim restitution collectable as a civil judgment.¹ Our independent review of the record has revealed no arguable appellate issues, and we affirm.

BACKGROUND

On October 20, 2016, pursuant to a negotiated disposition, defendant pled no contest to felony vandalism in violation of Penal Code section 594, subdivision (a).² In accordance with the negotiated disposition, the trial court suspended imposition of sentence and placed defendant on formal probation for a period of three years, subject to various terms and conditions, including that he obey all laws and pay \$7,932.95 in victim restitution.

On January 2, 2019, defendant's probation was revoked based on his arrest for driving under the influence.

On May 1, 2019, defendant waived his right to a probation violation hearing and admitted violating probation.

On June 3, 2019, the court found defendant in violation of probation. It reinstated probation on the same terms and conditions as originally imposed, with the additional condition that defendant serve 180 days in county jail.

¹ For purposes of this opinion we will assume without deciding that the October 24, 2019 order is an appealable order.

² All undesigned statutory references are to the Penal Code.

At an October 24, 2019 proceeding to address defendant's remaining financial obligations, the court denied the probation department's written request to extend defendant's probation. In addition, the court expressly declined to order defendant to pay outstanding court fees and the costs of probation. The court explained that defendant's probation had expired on October 19, 2019.

As for defendant's outstanding balance of \$6,923.95 for victim restitution, the court noted that the restitution order was already enforceable as a civil judgment under section 1202.4. Towards the end of the October 2019 proceeding, the court stated: "I'm actually not taking any action today. Probation has expired. The court's view is that [the victim restitution order] already is subject to collection as a civil judgment; So I don't think it required any action on the part of the court."

Defendant filed a timely notice of appeal from the October 24, 2019 order, and we appointed counsel to represent him. On June 23, 2020, appointed counsel filed a brief in which counsel raised no issues and asked us to review the record independently under *People v. Wende* (1979) 25 Cal.3d 436. On August 31, 2020, this court notified defendant that his attorney had failed to find any arguable issues and that he could submit by brief or letter any arguments he wished this court to consider. We have not received a response.

DISCUSSION

As for any possible contention that the court improperly converted the outstanding balance on the restitution order to a civil judgment after defendant's probation had expired, we simply note that any portion of a restitution order that remains unsatisfied after a defendant is no longer on probation shall continue to be enforceable by a victim as if the restitution order were a civil judgment. (§§ 1214, subd. (b), 1202.4, subd. (m).) Thus, it is unnecessary for a court to "convert" restitution orders to civil judgments.

We have examined the entire record, and are satisfied appellate counsel has fully complied with counsel's responsibilities and no arguable issues exist in the appeal before us. (*Smith v. Robbins* (2000) 528 U.S. 259, 278–284; *People v. Wende*, *supra*, 25 Cal.3d at p. 443.)

DISPOSITION

The order is affirmed.

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LAVIN, J.

WE CONCUR:

EDMON, P. J.

DHANIDINA, J.